

**PLANNING AND ZONING COMMISSION
STAFF REPORT**



April 16, 2015

Rezoning case no. RZ15-04: Morgan Lane, LP

CASE DESCRIPTION: a request to change the zoning classification from Agricultural-Open District (A-O) to Commercial District (C-3)

LOCATION: 5.5 acres of land adjoining the northeast corner of N. Harvey Mitchell Parkway (F.M. 2818) and Beck Street

LEGAL DESCRIPTION: 5.5 acres out of Stephen F. Austin League No. 9, Abstract No. 62

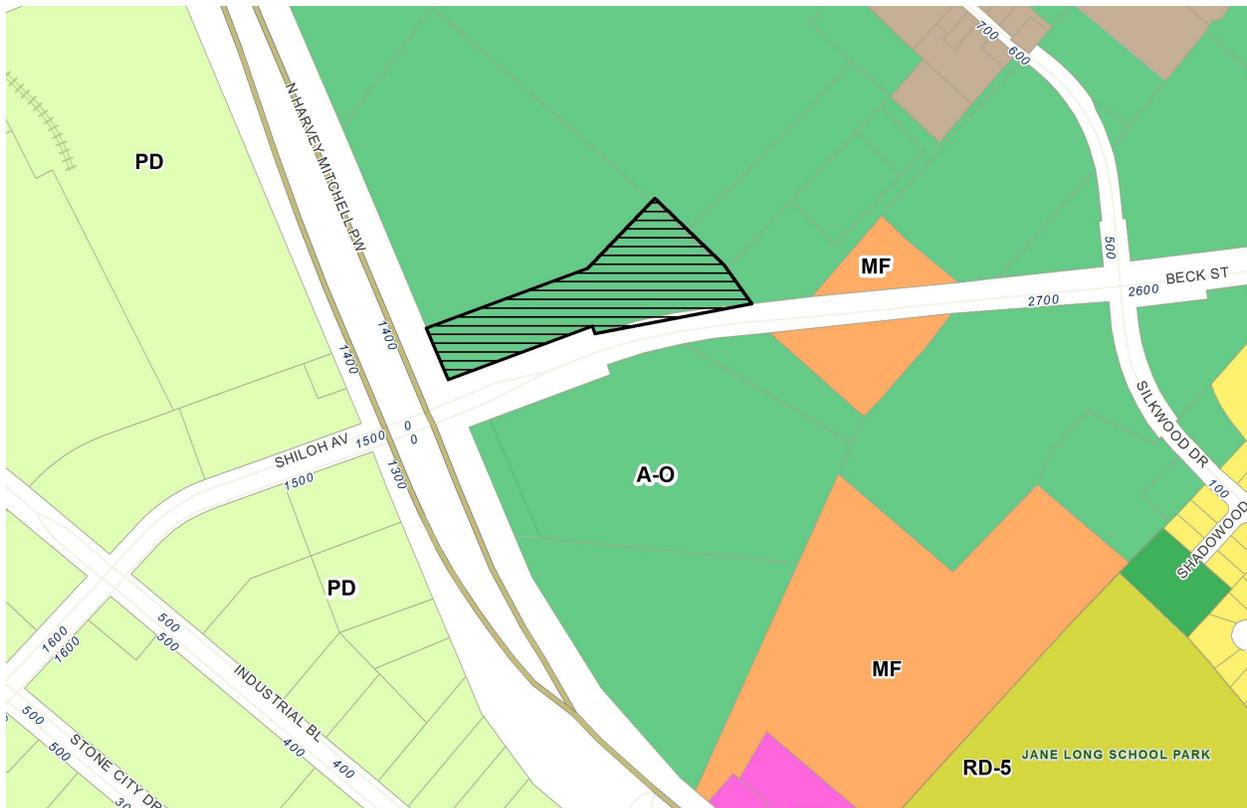
EXISTING LAND USE: vacant land

PROPERTY OWNER(S): Dory Howell of Morgan Lane, LP

APPLICANT(S): same as owner

STAFF CONTACT: Matthew Hilgemeier, Staff Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** this rezoning request.



AERIAL VIEW (2013):



BACKGROUND:

The applicant, Ms. Dory Howell, is requesting to change the zoning classification on these 5.5 acres of land from Agricultural – Open District (A-O) to Commercial District (C-3). The subject property has been zoned A-O District since the City of Bryan adopted zoning regulations on December 11, 1989. The subject property has never been developed and is heavily wooded. A large portion of the subject property is encumbered with FEMA-recognized floodplain. The rezoning is being requested in order to create opportunities for commercial development of the subject property in the future.

The currently vacant subject property abuts land to the north and the west that is also zoned for agricultural use and is also undeveloped. The property located to the south, across Beck Street, is also zoned A-O District, parts of which were recently developed with an RV Park. The Brazos County Industrial Park is located to the west of the subject property, across F.M. 2818, on land zoned Planned Development – Industrial District (PD-I).

The A-O zoning district is intended to provide a location principally undeveloped or vacant land situated on the fringe of an urban area and used primarily for agricultural purposes, but may become an urban area in the future. The C-3 zoning classification is intended for heavy retail and commercial uses of a service nature which typically have operating characteristics or traffic service requirements of retail or shopping, but generally not with residential environments.

RELATION TO BRYAN'S COMPREHENSIVE PLAN:

The City of Bryan adopted a new Comprehensive Plan in January 2007. The plan includes policy recommendations related to the various physical development aspects of the community. These aspects are supported by a set of goals and objectives. Among the goals supported by the policies are the development of attractive entrances and corridors and encouraging and promoting compatible infill and redevelopment in areas where these activities will benefit the city as a whole and the area specifically. One of the plan's objectives is to encourage a sustainable mix of land uses types in suitable locations, densities and patterns and to identify areas for commercial development and preserve them with appropriate zoning.

ANALYSIS:

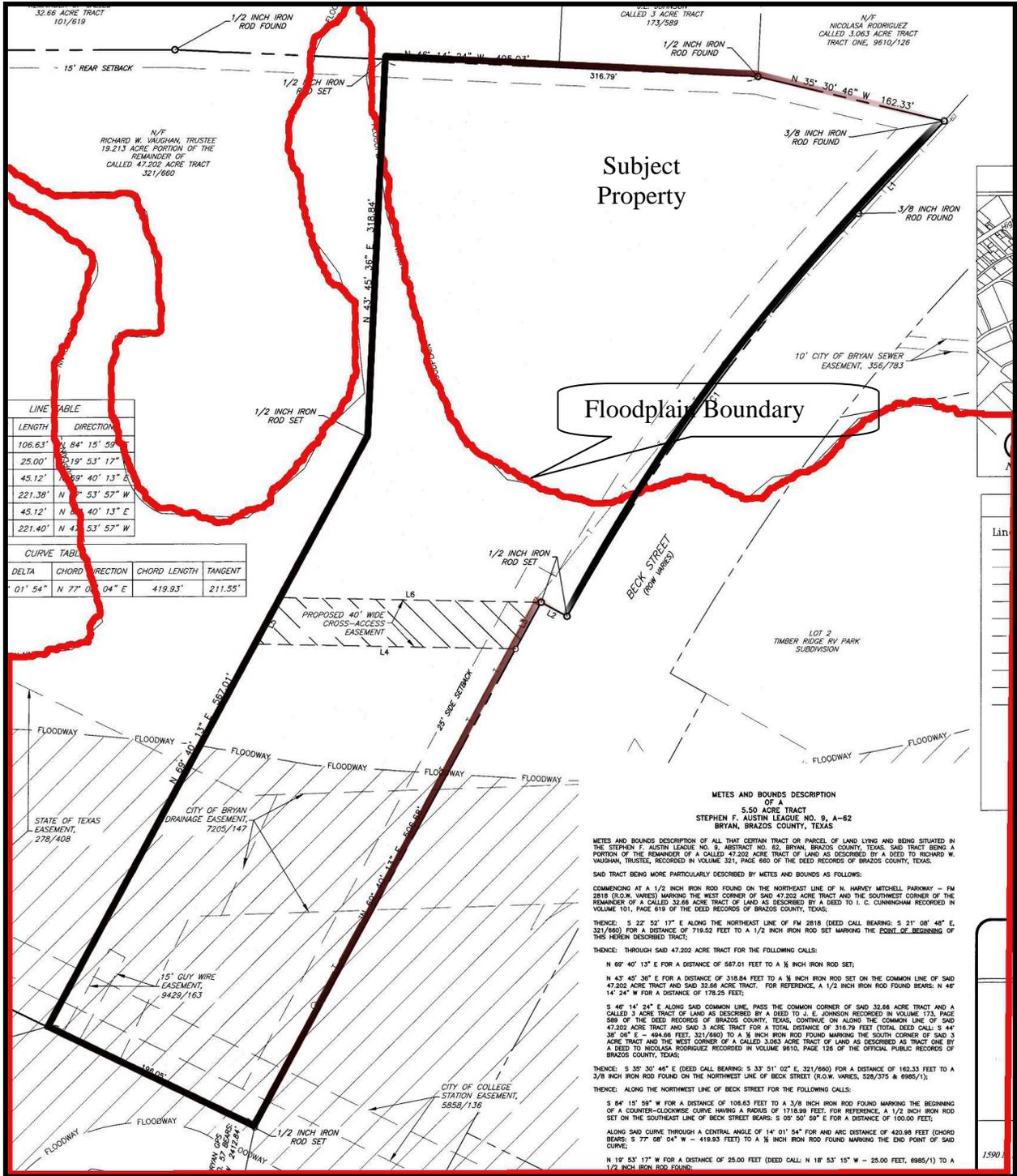
In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors:

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned; relationship to general area and the City as a whole.

The requested zoning change, if approved, will allow commercial development at the intersection of an urban freeway (F.M. 2818) and a major collector street (Beck Street), both of which are heavily traveled roadways on a daily basis. This portion of F.M. 2818 has been developing as commercial and industrial uses in recent years. Expanding C-3 zoning onto the subject property will support orderly urban growth in this vicinity where surrounding properties are being developed, or are currently developed, with commercial establishments. Staff contends that due to the location of the property and the surrounding land uses, a change to C-3 zoning district will allow this property to develop with commercial uses that are appropriate for this area of town and conform to the adopted goals and land use policies set out in the Comprehensive Plan.

2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area and shall note the findings.

Due to the existence of FEMA-recognized floodplain on the property being located along the portion of the property directly adjacent to F.M. 2818, any development on this property will be located such that it would not take direct access to F.M. 2818 (see graphic below), but would be required to take access off of Beck Street.



The adjacent portion of Beck Street, which was constructed less than 10 years ago, can reasonably be expected to be capable of accommodating traffic loads typically associated with commercial development. The subject property has adequate access to public sewer and water facilities which are located along Beck Street in front of the subject property. Staff believes that the proposed zoning change will have no immediate impact on infrastructure needs in the area.

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

The closest land zoned C-3 District is located 0.6 miles north along F.M. 2818 from the subject property. Staff believes that this zone change request, if approved, will not make land classified for similar development in the vicinity and elsewhere in the City unavailable for development.

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

Development pressure in the vicinity of the property has been light compared to other areas of the City. Staff contends that the requested change in zoning classification from A-O District to C-3 District could have the effect of promoting more commercial development opportunities along this gateway corridor into the City.

5. How other areas designated for similar development will be, or are unlikely to be affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

If the proposed zone change was approved, staff believes there to be few, if any, effects on other areas designated for similar developments. Many of the properties in the immediate vicinity are developed as commercial businesses, and several vacant parcels are available for future commercial development.

6. Any other factors affecting health, safety, morals, or general welfare.

In this case, staff believes that the requested rezoning to C-3 District should have no adverse effects on adjacent properties. Staff contends that allowing a commercial development at this location will encourage an orderly zoning pattern and orderly urban development in this vicinity.

RECOMMENDATION:

Staff recommends **approving** the proposed C-3 zoning, as requested, on these 5.50 acres of land.

ATTACHMENTS:

1. Excerpt from applicant's rezoning application.

Rezoning Supplement A



Minimum Requirements:

- Metes and Bounds description of property
- If Planned Development required, then include 15 folded copies and a .pdf of the development site plan

Please list the reasons for this rezoning request:

The property is currently raw land that has not been platted or zoned previously for development. With this rezoning request, the property will be developed for a commercial/retail site to house Pro-Star Industries and Howell Cleaning Services. These two companies sell cleaning supplies & equipment and provide commercial cleaning services, respectively.

List the changed or changing conditions in the area or City which make this zone change necessary:

This property fronts a major arterial roadway that has both industrial and commercial developments neighboring this development. In addition, with the extension and upgrades of Beck Street, this property is now a corner lot that has made the site viable for development.

Indicate whether or not this zone change is in accordance with the Future Land Use Plan. If it is not, explain why the Plan is incorrect:

The proposed zoning is in accordance with the Future Land Use Plan and is compatible with the existing and proposed developments neighboring this site.

List any other reasons to support this zone change:

NA.